



SATURDAY, FEBRUARY 16, 1899.

## WATER.

## The Citizens' Bill Introduced In The Legislature.

An Act to regulate the use of water for irrigation and for other purposes; for the purpose of giving priority to the use of water for irrigation; and to provide for the condemnation of land for reservoirs; for recording claims to water rights; and the appointment and duties of Water Commissioners.

The people of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the lands now irrigated, or which may hereafter be irrigated in the State of Nevada, are hereby divided into the following irrigation districts: District No. 1 shall consist of all the lands irrigated from the Truckee river and its tributaries. District No. 2 shall consist of all the lands irrigated from the Carson river and its tributaries. District No. 3 shall consist of all the lands irrigated from the East and West Walker rivers and their tributaries. District No. 4 shall consist of all the lands irrigated from the Humboldt river and its tributaries. District No. 5 shall consist of all the lands irrigated from the Owyhee river and its tributaries. District No. 6 shall consist of all the lands irrigated from the Reese river and its tributaries. District No. 7 shall consist of all the lands irrigated from the White river and its tributaries. District No. 8 shall consist of all the lands irrigated from the Muddy river and its tributaries. Other irrigation districts may be formed from time to time by the Governor, on petition of the parties interested, comprising territory not within any of the above-established irrigation districts.

Sec. 2. There shall be one Water Commissioner for each of the above named districts and for each district hereafter formed, who shall be appointed by the Governor, whenever his service may be required, to be selected by him from the persons recommended to him by the several Boards of County Commissioners of the counties in which the water districts may extend, and the Water Commissioners so appointed shall hold office for the period of two years, or until their successors are appointed and qualified. The Governor, by like selection and appointment shall fill all vacancies which may be caused by death, resignation or continued absence from the district, removal or otherwise, and the Governor may at any time remove any Water Commissioner for failure to perform his duties or for any other cause.

Sec. 3. That within twenty days after his appointment and before entering upon the duties of his office, each Water Commissioner shall take an oath to perform the duties of his office, which oath shall be deposited with the Clerk of the Court having jurisdiction over his district.

Sec. 4. It shall be the duty of said Water Commissioners to divide the water in the natural lakes or streams of the districts among the several ditches taking water from the same according to the prior rights of each respectively in water or in part, and to shut and fasten the head-gate of any ditch or ditches heading in any of the natural streams or lakes of the district, which in time of a scarcity of water makes it necessary by reason of the priority of the rights of others above or below them on the stream.

Sec. 5. Every person who shall willfully open, close, change or interfere with any head-gate or water box, without authority, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding five hundred dollars, or imprisoned in the County Jail for a term not exceeding six months, or both such fine and imprisonment. The Water Commissioners, or their assistants within their districts, shall have authority to arrest any person or persons offending, and take them before the nearest Justice of Peace in the county, to be dealt with as in such cases.

Sec. 6. The Water Commissioner herein provided, shall be entitled to pay at the rate of five dollars per day for each day he shall be actually employed in the duties of his office, not to exceed ninety days in any one year, to be paid by the county in which his irrigation district may lie. Each Water Commissioner shall keep a just and true account of the time spent by him in the duties of his office, and shall present a true copy thereof, verified by oath, to the Board of County Commissioners of the county in which his district may be, and said Board of County Commissioners shall allow and pay the sum out of the County Treasury, and where irrigation districts shall extend into two or more counties then said Water Commissioner shall be paid for his services as follows: In District No. 2, Douglas county shall pay; Ormsby county shall pay; Lyon county shall pay; Churchill county shall pay; In District No. 3, Esmeralda county shall pay; Lyon county shall pay; Douglas county shall pay; In District No. 4, Humboldt county shall pay three-eighths; Elko county shall pay one-quarter; Eureka county shall pay one-quarter; In District No. 5, Lander county shall pay; In District No. 6, Lander county shall pay; In District No. 7, Washoe county shall pay; In District No. 8, Washoe county shall pay. Said Water Commissioners shall have power, in case of emergency, to employ a suitable assistant to aid him in the discharge of his duties, such assistants shall take the same oath as the Water Commissioner, and shall obey his instructions, and each shall be entitled to four dollars per day, for every day he is actually employed, not to exceed thirty days in any one year, to be paid upon the certificate of the Water Commissioner in the same manner as is provided for payment of Water Commissioners.

Sec. 7. Said Water Commissioners shall not begin their work until they shall be called by three or more owners, or managers, or persons controlling

ditches in their several districts by application in writing, stating that there is a necessity for their action, and they shall not continue performing services after the necessity therefor shall cease.

Sec. 8. For the purpose of hearing, adjusting and settling all questions concerning the priority of the appropriation of water between ditch companies and other owners of ditches drawing water for beneficial purposes from the same stream, or its tributaries, or lakes, within the same irrigation district, and all other questions of law, and questions of right growing out of or in any way involved or connected therewith, jurisdiction is hereby vested exclusively in the several District Courts as follows: For District No. 1, in the District Court of the State of Nevada, Washoe Co.; For District No. 2, in the District Court of the State of Nevada, Ormsby Co.; For District No. 3, in the District Court of the State of Nevada; For District No. 4, in the District Court of the State of Nevada, or either Humboldt or Elko counties; For District No. 5, in the District Court of the State of Nevada, Lander Co.; For District No. 6, in the District Court of the State of Nevada; For District No. 7, in the District Court of the State of Nevada; For District No. 8, in the District Court of the State of Nevada. All lakes, streams and reservoirs not herein enumerated shall be for all purposes attached to and belong to the irrigation district in which the greater portion of its waters is, it being the intent and meaning hereof to add to each irrigation district all waters not heretofore enumerated, the majority of which lie within their respective areas, for the purpose of acquiring rights to the appropriation and use thereof and adjudicating the same.

Sec. 9. In order that all parties may be protected in their lawful rights to the use of water for beneficial purposes, every person, association or corporation, owning or claiming any interest in any ditch, canal or reservoir within any water district, shall, on or before the first day of September, eight hundred and eighty-nine, file with the County Recorder of the county a statement of their claim under oath, entitled in the proper county, which statement shall contain the name or names, together with the post-office address of the claimant or claimants claiming ownership in said ditch, canal or reservoir, the name thereof (if any), and if without a name the owner or owners shall choose and adopt a name to be therein stated, by which such ditch, canal or reservoir shall thereafter be known, the description of such ditch, canal or reservoir as to location, on head-gate, general course of ditch, the name of the natural stream or lake from which such ditch, canal or reservoir draws its supply of water, the length, width, depth and grade thereof as near as may be, the time, fixing a day, month or year as the date of appropriation of water by original construction, also by a ditch, canal or reservoir, its location, and the present capacity of the ditch, canal or feeder of reservoir, and also the number of acres of land lying under and being, or proposed to be, irrigated by water from such ditch, canal or reservoir, or if such waters have been appropriated for other beneficial purposes than irrigation, a statement of such purposes, and statement shall be signed by the proper party or parties, and filed with the Recorder of the county, who shall be required by him in a work kept for that purpose.

Sec. 10. Upon the filing of such statement, the Recorder shall endorse upon the back thereof the date of filing, and shall prepare an index of the same, a book to be provided for that purpose by the County Commissioners, which said index shall contain the date of filing the name of the party, association or corporation, the name of the ditch, the stream from which the water is taken by such ditch, canal or reservoir, the location of the head-gate, the date of the appropriation of the water by construction, enlargement or extension, and index shall be prepared alphabetically by reference to the name of the ditch, canal or reservoir.

Sec. 11. For filing and indexing such statement the Recorder shall receive the same fees as for recording deeds, to be paid by the party or parties filing the same.

Sec. 12. That hereafter every person, company or corporation constructing, enlarging or extending any ditch, canal or reservoir for beneficial purposes, and intending to use or appropriate any water from any natural stream or lake within any Water District for such beneficial purposes, shall file with the County Recorder of the proper county before the commencement of the construction, enlargement or extension of such ditch, canal or reservoir, a statement showing the stream or stream from which the water is to be taken; the point or place on said stream at or near which the water is to be taken out; the line or commencement of said ditch or ditches as near as may be; the use to which said water is to be applied, the dimensions of said ditch or ditches, and each thereof, giving width on bottom and top, slope of banks and grade of ditch, and likewise of any and all enlargements thereof, which statement shall be filed and indexed as is provided in section nine of this Act, and from the time of filing any such statement, water sufficient to fill such ditch or ditches, and subserve the use or uses aforesaid, if a lawful and just use, shall be deemed and adjudged appropriated, provided, that nothing herein contained shall be permitted to interfere with a prior right to said water, or to any thereof, and provided further, that such person or persons or corporation, shall within sixty days next ensuing the filing of such statement, begin the actual construction of said ditch or ditches, and shall prosecute the work of the construction thereof diligently and continuously to its completion; and provided further, that the beginning of all such work of any such ditch or ditches shall be construed as the beginning of said work of construction.

Sec. 13. The water of every natural stream not heretofore appropriated within this State, is hereby declared to be the property of the public, and the same is dedicated to the use of the people, subject to appropriation as herein provided. The provisions of this Act

shall apply to all cases where the water of natural streams or lakes is appropriated for beneficial purposes, whether the water be conducted through ditches, canals, flumes or tunnels, and shall apply also to cases where for irrigation purposes the water is stored in reservoirs, and the owner or owners of any ditch, canal, flume or tunnel through which water is conducted for irrigation purposes, may conduct the water therefrom into and along any of the natural streams of the State, but not so as to raise the waters thereof above high water mark, and may take the same out again at any point desired, but due allowance shall be made for evaporation and seepage, the amount to be determined by the Water Commissioner of the proper district, subject to review and determination by the Court having jurisdiction over priorities in such district.

Sec. 14. Whenever any person or persons, association or corporation, interested as owners of any ditch, canal or reservoir in any district, shall desire a determination of the priorities of rights to the use of water from any stream or stream, from which they draw the water for their ditch or ditches, canals or reservoirs, they shall present to the District Court having jurisdiction over the rights in such Water District, or to the Judge thereof, a petition or application in writing, moving or praying said Court to proceed to an adjudication of the priorities of rights to use of the water for irrigation, between the several ditches, canals or reservoirs, in such district, on the stream or stream named in such motion, petition or application. The said motion, petition or application shall state the names of the ditches, canals or reservoirs, claiming water from said stream or streams as appellants, from the final statements in the Recorder's office, together with the names of the persons, associations or corporations interested therein, taken from said statements, and shall set forth the nature of the claim or claims of the applicant or applicants, and such motion, petition or application shall be entitled "In the matter of an application for an adjudication of the priorities of rights to use of water for beneficial purposes in Water District No. —, on —," (naming the stream or streams). Upon the filing and checking of such application, the Court or Judge thereof shall, without unnecessary delay, by no return to be entered of record upon such petition or application, appoint a day for commencing to hear and take evidence in such adjudication, at which time it shall be the duty of the Court or Judge thereof to proceed and hear all evidence that may be offered by or in behalf of any person, association or corporation interested in stream or stream in such district, in any ditch, canal or reservoir, either as owner or consumer of water therefrom in support of or against any claims of priority of appropriation of water made by means of any ditch, canal or reservoir, or by any enlargement or extension thereof in such district, or on such stream or stream, and each shall act as an evidence, also the argument of the parties or their counsel, and shall ascertain and find from such evidence, as near as may be, the date of the commencement of such ditch, canal or reservoir, together with the original size and carrying capacity thereof as originally constructed, the time of the commencement of each enlargement or extension thereof, if any, with the increased capacity thereby occasioned, the time spent severally in such construction, enlargement or extension and the time when the work was in each case suspended, the nature of the work as in each other facts as may tend to show the compliance with the law in acquiring the priority of right claimed for each such ditch, canal or reservoir, and determine the matters put in evidence, and make and cause to be entered a decree determining and establishing the several priorities of right, by appropriation of water of the several ditches, canals and reservoirs in such Water District on such stream or streams, concerning which testimony shall have been offered, such as to the time of its construction and enlargements and extensions, with the amount of water which shall be held to have been appropriated by such construction and enlargement or extension, describing such amount by cubic feet per second of time (which shall also be the measurement for the sale of water), if the evidence shall show sufficient data to a certain such cubic feet, and, if not by width, depth and grade, and such other description as will most certainly and conveniently show the amount of water intended, as the capacity of such ditch, canal or reservoir. In such decree such Court or Judge thereof shall receive from the Clerk on payment thereof, a certificate, under seal of the Court, showing date or dates and amount or amounts of appropriation assigned in favor of such ditch, canal or reservoir, under and by virtue of the construction, extension and enlargement thereof severally, also specifying the number of said ditch, as determined by said Court, with reference to priorities of each priority to which the same may be entitled by reason of said construction, extension and enlargement, provided, that any party or parties claiming any right to the use of water for beneficial purposes in such district and on such stream or streams by reason of being owner or interested in any ditch, canal or reservoir, who is not mentioned in the petition or application, and shall become parties to such proceedings and shall have their rights adjudicated therein. The Court, or Judge thereof, may, instead of taking the testimony orally or in open Court, refer the matter to a referee, with such powers as in other cases. The testimony may be taken at any place ordered by the Court, or Judge thereof, or by the referee.

Sec. 15. The holder of the certificate provided for in section fourteen, shall exhibit the same to the Water Commissioner of the district in which he consumes the excess of his duties, and such Water Commissioner shall keep a book in which he shall enter a brief statement of the contents of such certificate and which shall be delivered to his successor, and said certificate, or statement thereon, in his book, shall be a warrant of authority to said Commissioner for regulating the flow of water in relation to such ditch, canal or reservoir; said certificate shall be recorded at the same rates of charges as in cases of deeds of conveyance in the records of each county into which the ditch, canal or reservoir, to which such certificate relates, shall extend; and said certificate or said record thereof, or a duly certified copy of such record shall be prima facie evidence of so much of the decree as shall be recited therein in any suit or proceeding in which the same may be relevant.

Sec. 16. Upon the order of the Court fixing the time of such hearing being made, the Clerk shall make a certified copy of such order, which order shall contain the names of all parties alleged in the application to be interested in the water, which shall be thereupon served upon each of the parties therein named, in the same manner as summons; it shall be the duty of the Clerk also to give public notice of such application in a newspaper, if any printed and in circulation, in each county wherein such Water District is situated, which shall be published at least twenty days, and which said notice shall contain the date of the filing of said petition or application, the name or names of the parties filing the same, a copy of the order made by the Court of hearing, and shall notify all parties interested as owners in any ditch, canal or reservoir, on such stream or streams, in such Water District, as well as the persons named in the petition or application, to appear at said Court, or before the Judge thereof at the time appointed and stated in the order, and all persons interested as owners or consumers may then and there present his or her or their proof, for or against any priority of right of water, by appropriation, sought to be shown by any party, by or through any ditch, canal or reservoir (either as owner or consumer of water therefrom), and in case any party mentioned in the petition or application cannot be personally served in any county embraced in such Water District, the published notice above provided shall be deemed sufficient service of notice; provided further, that in addition to such publication the Clerk shall mail such published notice to each party mentioned in the petition or application, directing the same to the address of the parties as stated in the sworn certificate of the publisher of the paper in which notice is published, to which shall be attached a printed copy taken from such paper.

Sec. 17. Any person or persons who shall willfully cut, dig or break down, or open any gate, bank or embankment, or side of any ditch, canal or reservoir, dam, pipe, tunnel or feeder in which such person or persons may be joint owners, or which is the property of another, or in the lawful possession of another or others, and used for the purpose of irrigation, mining or domestic purposes, with intent, maliciously to injure any person, association or corporation, or for his or her own gain, or with the intention of stealing, taking or causing to run, or pour out of such ditch, canal or reservoir, water, or any part thereof, or his or her own profit, benefit or advantage, or to the injury of any other person, persons, association or corporation lawfully in the use of such ditch, canal or ditch, canal, tunnel, feeder, pipe or dam, he, she, it or they, so offending, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not exceeding five hundred dollars, and may be imprisoned in the County Jail, not exceeding six months, or both, at the discretion of the Court or Judge.

Sec. 18. Any party or parties representing any ditch, canal or reservoir, or any number of parties representing two or more ditches, canals or reservoirs which are affected, in common with each other, by any portion of the decree rendered by the District Court, by which he, she, it or they may feel aggrieved, may have an appeal from said District Court to the Supreme Court, and in such case the parties shall be the appellants, and the parties representing any one or more ditches, canals or reservoirs affected in common, adversely to the interest of a plaintiff, shall be appellees. The party or parties in such appeal shall, within sixty days after the date of the decree is entered under this Act, file a notice of appeal in writing stating that such party or parties appeals to the Supreme Court of the State from the decree rendered in the case on any part thereof. When only a part of the decree is appealed from, the notice of the appeal shall state and shall also in that case specify the portion or part of the decree appealed from. Upon filing of such notice of appeal the cause shall be deemed to be appealed to the Supreme Court of the State, provided, however, that the party or parties, appealing as aforesaid, shall, within six days after the filing of such notice of appeal, be approved by the District Court for judgment thereof, and to be given in full, after said notice or proceeding shall be filed with the parties appealing, and to be in such amount as the Court or Judge shall order, conditioned that the parties giving the said undertaking shall prosecute their appeal to effect and without unnecessary delay, and will pay all costs and damages which the parties to whom the undertaking is given, or either or any of them, may sustain in consequence of such appeal.

Sec. 19. The notice last aforesaid shall be entered of record, and the appellant or appellants shall cause a certified copy thereof to be served on each of the parties or their attorneys, if they have one, as in other cases.

Sec. 20. The appellant or appellants shall, within six months after the appeal is allowed as aforesaid, file in the office of the Clerk of the Supreme Court of the State, a certified transcript of the proceedings had in the case in the District Court, or County proceedings, and the statements of the parties filed therein, and all evidence of record offered on the hearing of the case, or so much thereof as shall affect the appropriation of water claimed by the means of construction, enlargement or enlargement of the several ditches, canals and reservoirs mentioned in the order allowing the appeal; such statement to be served, filed and settled in the same manner as statements on motion for new trials.

Sec. 21. The Supreme Court in all cases heard before it under this Act shall, when it can properly be done, render such decree as the Court or Judge

below should have rendered. It may either reverse or modify the decree of the Court below is reversed, in whole or in part, it may direct the Court below as to its further proceedings therein.

Sec. 22. No claim of priority of any person, association or corporation, on account of any ditch, canal or reservoir, as to which he, she, it or they have filed or refuse to offer evidence under any adjudication hereto provided for, shall be regarded by any Water Commissioner in distributing water in times of scarcity thereof, until such time as such party shall have, by application to the Court having jurisdiction, obtaining leave, therefore and made proof of the priority of right to which such ditch, canal or reservoir shall be justly entitled, which shall only be granted upon terms as to notice to other parties interested, and upon payment of all costs and upon affidavit or petition, sworn to, showing the right claimed, and the ditches, canals and reservoirs, with the names of the owners thereof, against such priority is claimed, not until a decree adjudging such ditch, canal or reservoir to be an entitled, and certificate, such as mentioned in section fifteen thereof, shall have been issued to claimant and presented to the Water Commissioner.

Sec. 23. No person, association or corporation representing any ditch, canal or reservoir, shall be permitted to give or offer any evidence before said Court until he, she, it or they shall have filed a statement of a claim in substance the same in all respects as is required to be filed under the provisions thereof.

Sec. 24. The District Court or Judge thereof shall have power to order for good cause shown, upon terms just to all parties, and in such cases as may seem meet, a re-argument or review, with or without additional evidence, of any decree made under the provisions of this Act, whenever said Court or Judge shall find from the cause shown for that purpose by any party or parties, feeling aggrieved, that the ends of justice will thereby be promoted, but no such review or re-argument shall be ordered unless applied for by petition or otherwise within one year of the time of entering the decree complained of.

Sec. 25. Persons desiring to construct and maintain reservoirs for the purpose of storing water shall have the right to take from any of the natural streams of the State and store away any water not needed for immediate use for domestic, irrigation or other beneficial purposes; to construct and maintain ditches, canals, flumes and tunnels in the same manner provided by law for the condemnation of lands for right of way for ditches; provided, no reservoir with embankment or dam exceeding ten feet in height shall be made without submitting the plans thereof to the County Commissioners of the county in which it is situated and obtain their approval of said plans.

Sec. 26. The owners of reservoirs shall be liable for all damages arising from leakage or overflow of the waters therefrom, or by floods caused by the breaking of the embankment of such reservoir.

Sec. 27. Every witness who shall attend before the Court, or Judge thereof, or before the person appointed to take testimony in the causes provided for in this Act under subpoena, by request of any party, shall be entitled to the same fees and mileage as witnesses in civil cases in the District Court, and shall be paid by the party requiring his testimony. All other costs of the proceedings shall be paid by the parties claiming water as may be adjudged by the Court or Judge.

Sec. 28. Whenever, in actions or proceedings for the determination of water rights it may become necessary to divide the water of any stream or ditch between the different claimants it shall be divided as far as possible by periods of time, instead of fractional parts of the water.

Sec. 29. Said Water Commissioners shall so divide regulate and control the use of the water of all streams within their respective districts, in such manner as near as may be as will prevent unnecessary waste of water, and to that end such Commissioners shall so shut and fasten the head-gate or gates of all ditches so that no water will flow into said ditch than is a truly required and will be used for the purpose or purposes for which such water was appropriated; and any person who may resort to any Court of competent jurisdiction for such relief he may be entitled to.

Sec. 30. Whenever testimony shall or may be taken in any district created by this Act for the purpose of proving claims to appropriation of water, and prior thereto of any testimony taken thereon taken upon the hearing of any matter such action or petition under this Act may be introduced and shall be received as evidence.

Sec. 31. This Act shall in no wise be construed as impairing or abridging any rights already vested in any person or persons company or corporation, by virtue of the law in force before.

Sec. 32. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Sec. 33. This Act shall take effect and be in force from and after its passage.

Wadsworth Items.

A correspondent of the Truckee Republican furnishes the following Wadsworth notes.

The building boom still continues. A new M. D. has hung out his shingle.

Contractor Donhue has just completed two neat cottages for the Huston brothers.

Mrs. Nicholls, wife of Wm. Nicholls, who kept the Donner house at Donner Lake about a year ago, died Thursday night after a short illness. She leaves a husband, three daughters, two married, Mrs. J. F. George and Mrs. Karris, and a young son.

Very few trout are caught in the river at this place, owing to the low state of the water, although hundreds of pounds are caught daily at Pyramid and Mud lakes.

Although Wadsworth is not booming, still it is growing slowly but surely. It now boasts of two new hotels, one saloon, two general merchandises and two grocery stores, two larder shops, one butcher shop and one variety store.

## FIFTY-CENT COLUMN

All classes of legitimate advertisements not exceeding six lines, inserted in this column at 50 Cents per week.

## For Sale.

One Diebold's latest improved safe, warranted burglar proof and anti-dynamite, price \$300, cost \$270 in San Francisco. One Roulette Wheel complete, with Table Layout, \$100. My little black mare and buggy complete, \$200. Enquire of W. D. Hawling, Merchant's Exchange Saloon, or at Fredrick's jewelry store, Feb. 15-2w.

## Wanted.

Men of good willing ability to represent us in this town as sub-agent \$3.00 to \$5.00 per week can be made.) Address WANAMAKER & BROWN, Philadelphia.

The largest clothing and merchant tailoring house in America

## Portraits.

Sixteen dollars will buy a life size portrait frame and all. Get your orders ready. Will call in a few days. E. D. MOSE.

## For Rent.

Two-story house for rent on Plaza Street. Enquire of J2810 F. M. PAYNE.

## THE McKISSICK OPERA HOUSE!

## ONE NIGHT ONLY!

Saturday Eve., February 16, 1899,

## THE PERLESS COMEDienne



## KATIE PUTNAM

And the King of Minstrelsy,

## BILLY EMERSON,

With Katie Putnam's Excellent Comedy Company, in the Great Sensational Drama

## "ERMA, THE ELF"

The Greatest Combination West of New York!

New Scenery! Costumes! Run at Music Hotel Hotel

Press Circle (Including reserve)..... \$1.00  
General Admission..... 50  
Saloon (reserved)..... 1.00  
Saloon..... 50

Se its now on sale at the Dr's Bazaar.

## THE McKISSICK OPERA HOUSE!

JOHN PIPER.....LE-REP.

## ONE NIGHT ONLY!

Tuesday, February 19th!

## OPERATION OF THE SEASON!

## CONRIED'S

## English Comic Opera Co.!

In Adolph Muller's Beautiful Romantic Opera, Entitled

## THE KING'S FOOL!

—LIVE BAKED BY—COMPANY OF—

## 108—ARTISTS—108!

Introducing Prof. Hart's Original

## VIENNESE LADY FENCERS

All Special Scenery!

Beautiful Costumes!

## A CATABACT OF REAL RUNNING WATER!

Reserved Seats (Press Circle)..... \$1.00  
Admission (Press Circle)..... 50  
Reserved Seats Saloon..... 1.00  
Saloon..... 50

Box 51 set at Naby's Bazaar

## RED, WHITE AND BLUE SOCIAL

—TO BE GIVEN BY THE LADIES OF—

## O. M. Mitchell Relief Corps

NO 27, G. A. R.

Friday Evening, February 22d,

## ARMORY HALL,

## Committee of Arrangements.

Mrs. E. M. Vane, Miss E. Burns, Miss F. Knapp, Mrs. White.

## Reception Committee.

Mrs. M. A. Wright, Mrs. W. A. Martin, Mrs. W. B. Wager, Miss M. Taylor, Mrs. L. B. Wager, Mrs. H. Wager, Mrs. M. Wager.

## FLOOR DIRECTOR

MISS M. ALT

## Floor Managers.

Mrs. C. Nathan, Miss E. Barnett, Miss L. Slapen, Miss E. Levy, Mrs. P. Stanton, Mrs. Hall.

Accompanying Gentlemen and Ladies.



## BREVITIES.

Seven prisoners in the county jail.  
Little Lucy Landay is very much better.

The west bound train was three hours late last night.

The Legislature yesterday adjourned over until Monday.

J. H. Dobinson, Esq., of San Francisco, is visiting Reno.

The Lottery amendment will be referred to the Third House.

Mining stocks took a sudden upward movement yesterday afternoon.

Those who failed to attend the concert last night missed a rare musical treat.

There are twenty patients in the county hospital, six of whom have pneumonia.

The Board of Commissioners meet today to canvass the returns of the special election.

J. A. Fitzgerald is looking after the Depot while Bob Parry is rusticiating at the Bay.

G. to Lunge & Schmitt's for everything in agate ware. Largest assortment in the State.

Chas. Smith, of Sierra Valley, is visiting his sisters Mrs. J. F. Emmitt and Mrs. J. A. Fitzgerald.

The smallpox scare is subsiding at Carson, although there were reports of two new cases yesterday.

Some of our prominent business men need a lot of new rubber stamps. Their bill has look very ready.

Miss Lena Ramon who has been very ill is going to San Francisco to receive medical aid, in a change of climate.

The Supreme Court has affirmed the decision in the case of Fry et al vs. Thompson, being the Savings Bank's.

The Electric Light Co. did not provide good service for the town last night, having met with an accident at the work.

Wm. Emerson and Miss Katie Putnam are registered at the Depot. The troupe came down from Virginia yesterday afternoon, having cancelled their engagement at Carson.

Sensitors Foley, Torry, Comins, Gallagher, Shanon, Boyle, J. S. Warren, of Virginia, Archie McDonnell, of Virginia, Judge Murphy, Tom Robinson, of Eureka, G. N. Fulkerson, Warden McCullough, Maj. Ford, Phil Doyle, of Carson, C. Derby, C. C. Wallace, Dr. Wallace, Dr. Cole and other well-known gentlemen were in Reno last evening, many of them going to the Bay to be initiated into the mysteries of "The Shrine," a new side degree in Masonry.

## "THE KING'S FOOL"

At McKissick Opera House Next Tuesday Night.

At the Opera House next Tuesday night the Corned Company will appear in the romantic opera entitled "The King's Fool." The plot of the piece is of absorbing interest, and the music pure and strong. It is a good solid piece, far above the ordinary light and trashy opera of which we have had a surfeit. Even the first act contains a strong scene, and much that follows show great pathos and tenderness. There is also much that is laughable and droll. An attractive part is that in which appear the Viennese female fencers. They do some good work, and work that would make their dangerous were sounds placed in their hands and an enemy placed before them. The scenery carried by the company is fine and the stage setting excellent.

The box sheet is now open at Nasby's. There is sure to be a packed house.

The Putnam-Emerson Combination in "Erma, The Elf," to-night.

Everything points to a crowded theater with our best people to witness the performance of "Erma, the Elf," to-night. The play is one of the most successful comedy-dramas of the day, and in the hands of Katie Putnam and her excellent company has been meeting with the greatest success every where presented. When we add to this the novelty of seeing the famous Billy Emerson in white face, introducing his budget of beautiful songs and refined specialties, we are sure of an attraction that none should miss seeing to-night. Miss Putnam and Mr. Emerson are en route to New York, where they will close their present season late in April, when Emerson will open Dockstader's Broadway Theater with his own Minstrel Co., and Mrs. Putnam will return with her company to San Francisco, playing three weeks at the Alcazar Theater before sailing for Australia in June.

We have on our desk, Senate Bill No. 48. A bill to regulate the use of water for irrigation; settling priority of right thereto; to provide for the condemnation of land for reservoirs; recording claims to water rights and the appointment and duties of a Water Commission. Of the different bills introduced at this session of the Legislature we are of the opinion, after a careful reading of the bill, that it comes nearer what we want in this State than anything heretofore presented. It is the result of the labors of the Committee appointed at a citizens meeting held at the Court House two weeks ago. It provides for the creation of irrigation districts and the appointment of a Water Commission to each district. There is also a provision for a legal settlement of all questions concerning the appropriation of water and how the same shall be controlled and managed after such settlement in its distribution among the different appropriators; so that there will no waste. In fact to describe each content of the bill would take more space than at our command. We recommend to our readers a careful reading of the bill and if you have any suggestions to offer be on hand at the meeting to be held to-night at the Court House.

R. H. Lindsay has returned from Hawthorne where he has been defending J. In McTigue for murder. The Colonel achieved a great victory in that the jury only convicted his man of manslaughter. Judge Rising sentenced him to the full extent of ten years.

O hasten if within your home  
Some gentle one is fading;  
Take warning, ere a summons come,  
Your last press is fading.  
For all the suffering the endures  
In neediness, did you know it?  
The "Favorite Prescription" cures—  
Unceasing praises show it.  
Truly "a household blessing" is this  
marvelous specific—Dr. Pierce's Favorite  
Prescription—for the ill of woman.  
Who thus sees a dear face growing each  
day more ethereal, but will rejoice to  
learn that the wife or daughter may yet  
be saved, and the family circle pre-  
served unbroken? Don't despair, but try  
it, even if the doctors say there is  
"no cure." It is the only medicine  
sold by druggists for woman's peculiar  
weaknesses and ailments, under a  
positive guarantee from the manufac-  
turers that it will give satisfaction in  
every case, or money will be refunded.  
Read guarantees on bottle wrapper.

## ADVICE TO MOTHERS.

Are you disturbed at night and broken  
of your rest by a sick child suffering  
and crying with pain of cutting teeth?  
If so, send at once and get a bottle of  
Mrs. Winslow's Soothing Syrup for  
Children Teething. Its value is incal-  
culable. It will relieve the poor little  
sufferer immediately. Depend upon it,  
mothers, there is no mistake about it.  
It cures dysentery and diarrhoea, regu-  
lates the stomach and bowels, cures  
wind colic, softens the gums, reduces  
inflammation, and gives tone and en-  
ergy to the whole system. Mrs. Wins-  
low's Soothing Syrup for Children  
Teething is pleasant to the taste, and is  
the prescription of one of the oldest and  
best female nurses and physicians in  
the United States, and is for sale by all  
druggists throughout the world. Price  
25 cents a bottle. (See 21-22-23)

When baby was sick,  
We gave her Castoria.  
When she was a child,  
She cried for Castoria.  
When she became Miss,  
She clung to Castoria.  
When she had Children,  
She gave them Castoria.

**ROYAL**  
FULL WEIGHT  
ROYAL BAKING  
POWDER  
**BAKING**  
**POWDER**  
Absolutely Pure.

This powder never varies. A marvel of pur-  
ity, strength, and wholeness. More eco-  
nomical than the ordinary kind, and cannot  
be sold in competition with the multitude of  
low test, short weight, cheap or phosphate pow-  
ders. **ROYAL BAKING POWDER CO.,**  
NEW YORK.

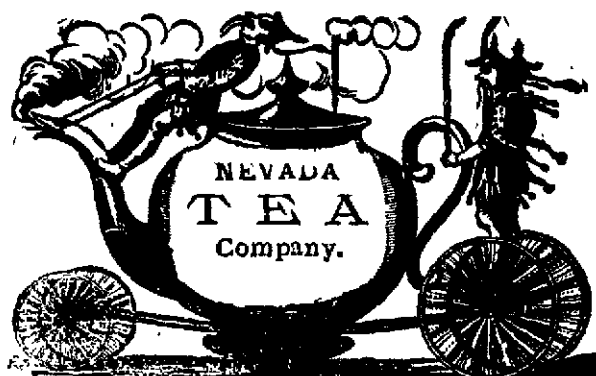
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PROPRIETOR OF

Livery, Feed and Sale Stable,  
STOCK CORRALS AND SALES.

RENO, NEVADA. First-Class Turnouts  
Transient Stock Carefully Provided For  
Charges to Suit the Times.

## NEVADA TEA STORE.

The Nevada Tea Store  
AND CASH GROCERY.

IS PREPARED TO FURNISH

Teas, Coffees, Spices and Groceries of All Descriptions,  
AT LOWEST SACRAMENTO PRICES FOR CASH.

Tonvince yourselves of this give us a call and inspect goods and prices.  
Butter, Eggs and Farm Produce taken in exchange at market prices. Our terms  
are STRICT CASH! NO CREDIT! Lowest prices and satisfaction guaranteed.

**NEVADA TEA STORE,**

27 Virginia Street, Reno, Nevada.

E. J. ROTHER, Proprietor.

## THE BANK OF NEVADA.

**THE BANK OF NEVADA,**  
RENO, NEVADA.  
Capital Stock fully subscribed, \$300,000  
WILL BUY AND SELL EXCHANGE ON SAN FRANCISCO, NEW  
York, London and the principal Eastern and European Cities.

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W. D. Phillips, E. Cohn, T. V. Julien, L. J. Flint, Mrs. D. H. Barker, J. A. Mitchell, of Reno.

Will Transact a General Banking Business.  
Mining and other Stocks Bought and Sold on Commission  
Agents for Several First-Class Insurance Companies.

## BOOTS AND SHOES.

The Cheapest! The Best!  
**TASSELL BROTHERS,**  
Powning's New building, East Side of Virginia Street.  
Are constantly receiving direct from the Leading Manufacturers of the United  
States, the Largest and Most Complete Stock of

**BOOTS AND SHOES**  
FOR GENTLEMEN.

Shoes and Slippers for Ladies, and General Footgear for  
Youths and Men  
That have ever been received in this city. The public is invited to call and in-  
spect them. Boots and shoes made to order. Repairing Neatly Done.

Leather and Findings of all Descriptions.

W. O. H. MARTIN.

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—DEALER IN—

**Shelf Hardware, Bar Iron, Barbed Wire**

Steel, Cumberland Coal, Lime, Plaster, Cement,

**AGRICULTURAL IMPLEMENTS**  
Buckeye And all Other Kinds of Machine Extras &  
Specialty.

GROCERIES, LIQUORS, TINWARE AND CROCKERY.

Agent for Empire Mower.  
Commercial Row, Reno, Nevada.

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**FIRST NATIONAL BANK**  
RENO, NEVADA.

Capital Paid in, \$200,000. Surplus Fund, \$70,000.

Collections Carefully Made and Promptly Accounted For

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W. Ward, W. D. H. Martin, Geo. W. Mapes, Samuel Brown, F. M. Lee, Geo. H. Taylor, A. H.  
Manning, C. T. Bender, Emma John Johnson, Mrs. Jennie Lewis, Reno, Nevada.

## PALACE DRY GOODS STORE.

**STOCK-TAKING BARGAINS!**

UNEQUALED VALUES,

AT THE

**PALACE****Dry Goods and Carpet House**

Beginning Monday, February 11th.

**THE NEAR APPROACH OF OUR**  
annual stock-taking prompts us to make another  
heavy cut in some of our Departments, as we wish  
to largely reduce our stock previous to that time. To  
illustrate the ENORMOUS REDUCTIONS made, we  
this week quote some prices from our Dress Goods De-  
partment, especially of Black Goods, and assure our pat-  
rons that a visit to our store will repay them by the  
offering of IRRESISTIBLE BARGAINS.

**DRESS GOODS DEPARTMENT:**

At 50 cents, 10 pieces Black Real Mohair Sicilian, 55 inches wide...worth 75 cts  
At 50 cents, 8 pieces Black Iron Frame Alpaca, 40 inches wide...worth 75 cts  
At 65 cents, 6 pieces Black Real Mohair Silk Finish Alpaca, 40-inch...worth \$1.15  
At 75 cents, 9 pieces Black Real Mohair Sicilian, 40 inches...worth \$1.15  
At \$1.00, 7 pieces Black Real Mohair Brilliantine, 40 inches...worth \$1.50  
At 50 cents, 5 pieces Black All Wool Cashmere, 38 inches wide...worth 75 cts  
At 75 cents, 8 pieces Black All Wool Cashmere, 40 inches wide...worth \$1.00  
At \$1.00, 6 pieces Black All Wool Cashmere, 40 inches wide...worth \$1.50  
At 75 cents, 4 pieces Black All Wool Soleil, 40 inches wide...worth \$1.25  
At \$1.00, 6 pieces Black All Wool Heather Cloth, 40 inches...worth \$1.50  
At \$1.25, 10 pieces Black All Wool Soleil Amuro, 42 in hes...worth \$2.00

There will be great bargains in all of our Dress Goods, as the shelves must  
be cleared to facilitate stock-taking.

**House Furnishing Department:**

7 pieces Loomdise Table Damask...reduced to 25 cents per yard  
5 pieces extra heavy quality Loomdise Table Damask...to 45 cents per yard  
4 pieces cream double Damask Table Linen...reduced to 75 cents per yard  
5 pieces bleached Table Damask, All Linen...at 50 cents per yard  
4 pieces bleached, able Damask excellent quality...at 75 cents per yard  
10 pieces Walkeshire Huck Toweling...at 4 cents per yard  
50 Comforters...reduced to 75 cents each  
40 pairs 10-4 White Blankets...still at \$1 per pair  
12 pieces Checked Nainsook...reduced to 8 1/2 cents per yard

To insure an immediate clearance we offer these  
goods at CORRESPONDING REDUCTIONS from reg-  
ular prices and thus give our patrons and the general  
public an opportunity to secure bargains infinitely super-  
ior to any before offered. Respectfully,

**Palace Dry Goods and Carpet House.**

Country Orders Promptly and Carefully Executed.

JOHN BREUNER, SACRAMENTO.

**JOHN BREUNER,**  
**Furniture and Bedding,**

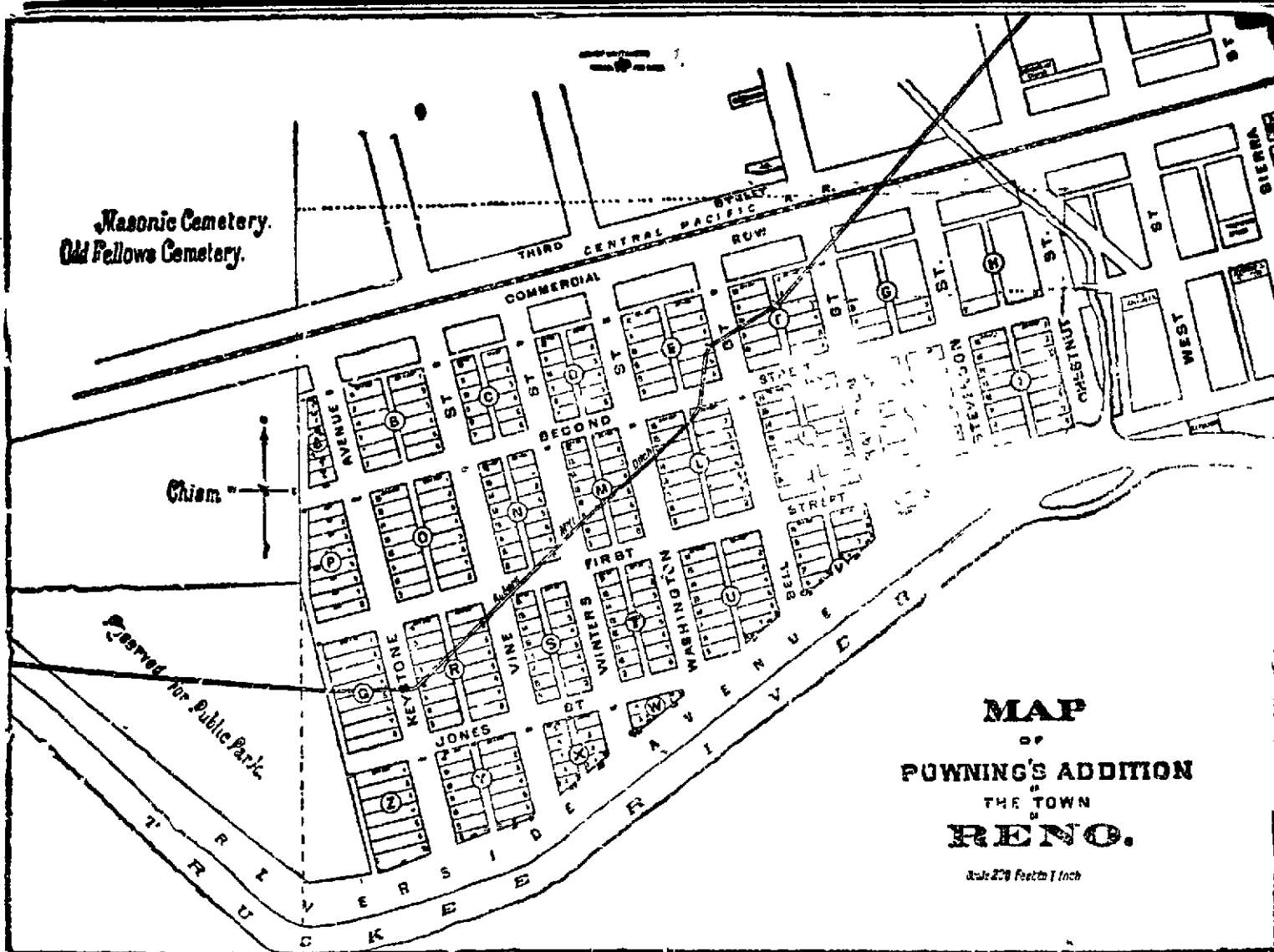
604, 606, and 608 K Street.

SACRAMENTO, CAL.

**THE OLD RELIABLE FURNITURE HOUSE OF**  
John Breuner is well worthy of note, and we take  
pleasure in devoting to it due space and attention. Mr.  
Breuner has been engaged in this business for thirty-three  
years and conducts one of the largest business houses in  
California. He manufactures and deals in all kinds of  
furniture and bedding, and has established a most envi-  
able celebrity for the excellence of the goods turned out  
by his house. He carries a very large stock, embracing  
all grades and kinds of furniture and quotes prices that  
defy competition. His goods are all first-class, made of  
the best material and first-class workmanship, and the  
people cannot find a more advantageous house to deal  
with. He carries a supply of photographs of all goods,  
which will be sent free of charges to any address, and by  
this method people at a distance can select goods at  
home as well as in person at his house, and may rest as-  
sured of being satisfactorily and fairly treated by him.  
This is a most convenient and pleasant method for  
those abroad, and we recommend a trial of it.

I. FREDRICK.

**I. FREDRICK**  
**LEADING JEWELER AND**  
**\*WATCHMAKER\***  
EAST OF GOODS AND



## 250 Beautiful Lots For Sale!

A RARE CHANCE FOR INVESTMENT AND A HOME

**THE MOST LOVELY PORTION OF RENO.**

Facing the Truckee—The Aristocratic Riverside Avenue Driveway—Splendid Sewerage—Healthy Location and Safe From Fire.

The proprietor is now ready to receive proposals for lots in Powning's Addition. The map gives a good idea of the Tract, which is situated between the Central Pacific Railroad and the Truckee River, and commences on the west at a point three blocks distant from Virginia Street, making it the most central and convenient of any portion of the rapidly growing town of Reno. Unlike any other part of the town this Addition faces the beautiful Truckee River and Riverside Avenue is certain to become the fashionable driveway of the country. The streets are 80 feet wide, while Riverside and Keystone Avenues are intended to be 100 feet in width. All alleys are 20 feet wide. The soil is a rich gravelly loam, and susceptible of the highest state of cultivation. Being situated as it is it is more safe from fire than any other section. The regular lots are 50x140 feet. The sewerage is perfect.

**Before Buying Elsewhere Parties will do Well to Look at These Lots.**

### RENO

Reno's geographical position is excellent. It is on the line of the Central Pacific Railroad, only 154 miles from Sacramento, and 244 miles from San Francisco. It is the terminus of the Virginia and Truckee Railroad running south, and of the Nevada and California Railroad running north. It has two Flouring Mills, Planing Mills, three Nurseries, a Soap Factory, Reduction Works, and other industries. A great Woolen Mill and a Sash, Door, Blind and Box Factory, are about to be established.

Reno has the Bank of Nevada with \$300,000 capital, and the First National Bank with \$200,000 capital. It has two fine papers in the DAILY and WEEKLY NEVADA STATE JOURNAL and the Daily and Weekly Gazette.

Reno is the natural home of the Alfalfa, and therefore the great cattle headquarters of the State. Here are fed the prime beef for the California market. Reno potatoes are the best in the world, and she also excels in Strawberries and the small fruits. Reno Wheat took the first prize at the great New Orleans Exposition.

The State Fair is always held at Reno.

Reno is the County Seat of Washoe County, the wealthiest county in Nevada.

### RENO!

Has 5,000 Population and is Growing Rapidly.

The Loveliest Town!

The Cleanest Town!

The Wealthiest Town!

The Healthiest Town!

### RENO

Is Supported by the Richest

Farming Country of Nevada,

Northern California and

Southern Oregon.

### RENO

Has no equal in Nevada or California for salubrity of climate, wealth of soil, diversity of products and stability. Situated in the very heart of the celebrated Truckee Meadows the future of Reno is assured. Reno is the City of Homes. There is not a house to rent in Reno. New buildings are occupied as fast as erected. Reno has advantages which no other town can equal. The climate is mild and genial in Winter, and even and healthful in Summer. There are no excessively heated or severely cold terms, and while the days may be warm in Summer the nights are deliciously cool; in Winter sleigh-riding is the exception and not the rule.

Facilities for irrigating surpass any in the State, and there is no failure of crops. Reno has Churches of all denominations, Bishop Whitaker's School for Girls, Mt. St. Mary's Academy, the State University, and splendid Public Schools.

The Reno Water Co. furnishes ample pure, cold water for all purposes. The Reno Electric Light Co.'s electric light system, already well established, is being augmented. The Reno Gas Co. supplies gas for all purposes. The streets of Reno are lighted by electricity.

### RENO!

Is the Railroad Center of Nevada.

### RENO

Is the Educational Center of Nevada.

### RENO

Is the Healthiest Town in Nevada.

### RENO

Is Great, and Alfalfa is King

The Safest Investment

IN THE STATE

RENO PROPERTY

Is the Cheapest on the Coast in comparison with that of other cities!

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### THE BANK OF NEVADA, RENO, NEVADA.

Capital Stock fully subscribed, ... \$300,000

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Dry Goods, Carpet and Cloak House,

Will dispose of the remainder of their

**CLOAKS AT GREAT SACRIFICE.**

No Cloaks will be kept over for next season. This means Bargains.

BOOTS AND SHOES.

The Cheapest! The Best!

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Powning's New Building, East Side of Virginia Street, Are constantly receiving direct from the Leading Manufacturers of the United States, the Largest and Most Complete Stock of

### BOOTS AND SHOES

FOR GENTLEMEN.

Shoes and Slippers for Ladies, and General Footgear for Youths and Misses

That have ever been received in this city. The public is invited to call and inspect them. Boots and shoes made to order. Repairing Neatly Done.

Leather and Findings of all Descriptions.

W. O. H. MARTIN.

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Shelf Hardware, Bar Iron, Barbed Wire

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The Cheapest Place in Reno

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AND PLUMBING,

Hardware, Groceries, Paints, Oils, Window Glass and Pocket Cutlery.

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